

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2723 Session of 2018

INTRODUCED BY MADDEN, J. McNEILL, THOMAS, SCHLOSSBERG, RABB, YOUNGBLOOD, B. O'NEILL, DRISCOLL, HILL-EVANS, BIZZARRO, WATSON, PASHINSKI, NEILSON, DeLUCA, FRANKEL, SAMUELSON AND RADER, OCTOBER 17, 2018

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS, OCTOBER 17, 2018

AN ACT

1 Amending the act of December 7, 1982 (P.L.784, No.225), entitled
 2 "An act relating to dogs, regulating the keeping of dogs;
 3 providing for the licensing of dogs and kennels; providing
 4 for the protection of dogs and the detention and destruction
 5 of dogs in certain cases; regulating the sale and
 6 transportation of dogs; declaring dogs to be personal
 7 property and the subject of theft; providing for the
 8 abandonment of animals; providing for the assessment of
 9 damages done to animals; providing for payment of damages by
 10 the Commonwealth in certain cases and the liability of the
 11 owner or keeper of dogs for such damages; imposing powers and
 12 duties on certain State and local officers and employees;
 13 providing penalties; and creating a Dog Law Restricted
 14 Account," in injury to dogs, providing for contracts for sale
 15 of dogs and cats.

16 The General Assembly of the Commonwealth of Pennsylvania
 17 hereby enacts as follows:

18 Section 1. The act of December 7, 1982 (P.L.784, No.225),
 19 known as the Dog Law, is amended by adding a section to read:

20 Section 604. Contracts for sale of dogs and cats.

21 (a) Contracts.--Except as provided in subsection (b), a
 22 contract to transfer ownership of a dog or cat in which
 23 ownership or repossession of the dog or cat is contingent upon

1 the making of payments over a period of time subsequent to the
2 transfer of possession of the dog or cat is void as against
3 public policy.

4 (b) Exception.--Subsection (a) shall not apply to payments
5 to repay an unsecured loan for the purchase of a dog or cat.

6 (c) Leases.--A contract entered into for the lease of a dog
7 or cat that provides for or offers the option of transferring
8 ownership of the dog or cat at the end of the lease term is void
9 as against public policy.

10 (d) Remedy.--In addition to any other remedies provided by
11 law, the consumer taking possession of a dog or cat transferred
12 under a contract or lease described in subsection (a) or (c)
13 shall be deemed the owner of the dog or cat and shall also be
14 entitled to the return of all amounts the consumer paid under
15 the contract or lease.

16 (e) Constructions.--Nothing in this section shall be
17 construed to limit the enforcement of any other provision of
18 this act.

19 (f) Definition.--As used in this section, the term
20 "consumer" shall mean a natural person.

21 Section 2. The addition of section 604 of the act shall
22 apply to contracts entered into on or after the effective date
23 of this section.

24 Section 3. This act shall take effect in 60 days.